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STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

VERIFIED PETITION OF INDIANAPOLIS)
POWER & LIGHT COMPANY REQUESTING)
THE INDIANA UTILITY REGULATORY)
COMMISSION TO APPROVE (1) NEW AND)
ENHANCED DEMAND SIDE MANAGEMENT)
AND ENERGY EFFICIENCY PROGRAMS; (2))
RATEMAKING RECOGNITION OF SUCH)
COSTS, INCLUDING TIMELY RECOVERY OF)
ASSOCIATED COSTS, INCLUDING LOST)
REVENUE AND PERFORMANCE INCENTIVES)
PURSUANT TO STANDARD CONTRACT RIDER)
NO. 22 IN ACCORDANCE WITH INDIANA CODE)
8-1-2-42(a) AND 170 IAC 4-8-1 *ET SEQ.*; (3))
ASSOCIATED ACCOUNTING AUTHORITY,)
INCLUDING AUTHORITY TO DEFER COSTS,)
INCLUDING CARRYING CHARGES INCURRED)
TO IMPLEMENT CORE DSM PROGRAMS AND)
OTHERWISE COMPLY WITH THE PHASE II)
ORDER IN CAUSE NO. 42693; AND (4))
REVISIONS TO RATE REP.)

CAUSE NO. 43960

PREHEARING CONFERENCE
ORDER

APPROVED: NOV 18 2010

BY THE COMMISSION:

David E. Ziegner, Commissioner
Angela Rapp Weber, Administrative Law Judge

On October 13, 2010, Indianapolis Power & Light Company ("Petitioner") filed its Petition with the Indiana Utility Regulatory Commission ("Commission") to approve new and enhanced energy efficiency programs, ratemaking recognition of such costs and revisions to its Rate REP.

In accordance with 170 IAC 1-1.1-15(e), the Office of Utility Consumer Counselor ("Public") and Petitioner (collectively, "parties") reached agreement in this proceeding on all procedural matters. On November 4, 2010, the parties filed a Stipulation and Submission of Agreed Prehearing Conference Order setting forth the agreed procedural schedule.

Pursuant to the agreement of the parties, the Commission now enters the following findings and Order, which are now a part of the record in this proceeding:

1. Petitioner's Prefiling Date. Petitioner filed with the Commission and served on all parties of record the prepared testimony and exhibits constituting its case-in-chief on October 15, 2010.

2. **Public's And Intervenors' Prefiling Date.** Public and all Intervenors shall prefile with the Commission the prepared testimony and exhibits constituting their respective cases-in-chief on or before January 12, 2011. Copies of same shall be served on all parties of record.

3. **Cross Answering Testimony.** Public and all Intervenors may prefile cross answering testimony addressing issues in the Public's and Intervenor's prepared testimony and exhibits on January 24, 2011. Copies of same shall be served on all parties of record.

4. **Petitioner's Rebuttal Prefiling.** Petitioner should prefile with the Commission its rebuttal testimony and exhibits on or before February 7, 2011. Copies of same shall be served on all parties of record.

5. **Evidentiary Hearing.** In the event this Cause is not settled, the evidence of the Petitioner, Public and any Intervenors shall be presented in an Evidentiary Hearing to commence at 9:30 a.m. on February 23, 2011, in Room 222 of the PNC Center, 101 West Washington St., Indianapolis, Indiana. At such time, the direct evidence of the respective parties should be presented and their respective witnesses examined. Thereafter, Petitioner should present its prefiled rebuttal evidence as well as any additional evidence rebutting evidence adduced on cross-examination of Public's or Intervenors' witnesses. If the parties reach settlement, the agreement and supporting testimony and exhibits shall be submitted to the Commission five (5) business days prior to the Evidentiary Hearing.

6. **Objection to Prefiled Testimony and Exhibits.** Any objections to the admissibility of prefiled testimony or exhibits should be filed with the Commission and served on all parties of record no less than two (2) business days prior to the date scheduled for commencement of the Hearing at which the testimony or exhibit will be offered into the record.

7. **Sworn Testimony.** Any witness testimony to be offered into the record of this proceeding should be made under oath or affirmation. In accordance with 170 IAC 1-1.1-18(h), if the prefiled testimony of a witness is to be offered into evidence at the Evidentiary Hearing, and the witness sponsoring the prefiled testimony is not required to, and does not, attend the Evidentiary Hearing, the prefiled testimony should be accompanied by the witness's sworn affidavit or written verification at the time the evidence is offered into the record.

8. **Number of Copies/Corrections.** With the exception of work papers, the parties shall file with the Commission an original and five (5) copies of all prefiled testimony and exhibits. Any corrections to prefiled testimony shall be made in writing as soon as possible after discovery of the need to make such corrections. Although the Commission's rules require that original copies be one-sided, it is the Commission's preference that duplicate copies use both sides of the paper.

Parties may also elect to file documents with the Commission using the Commission's Electronic Filing System in lieu of filing paper documents. Pursuant to the terms and conditions of the Electronic Filing System, documents filed electronically are deemed filed the date they are submitted, subject to verification and acceptance by the Commission, and will receive an electronic file stamp. For filings greater than thirty (30) pages in length, a party shall file with the Commission an original and one (1) paper copy within two (2) business days of the electronic filing. When supplying such copies, the party must provide a copy of the email reflecting the electronic

filing was accepted by the Commission.

9. **Intervention.** Pursuant to 170 IAC 1-1.1-11, any party permitted to become an Intervenor in this Cause shall be bound by the record as it stands at the time its Petition to Intervene is granted.

10. **Discovery.** Discovery is available for all parties and shall be conducted on an informal basis. Any response or objection to a discovery request shall be made within ten (10) calendar days of the receipt of such request. After January 12, 2011, any response or objection to a discovery request shall be made within five (5) calendar days of the receipt of such request. After February 7, 2011, any response or objection to a discovery request shall be made within three (3) business days of the receipt of such request. The parties have agreed to electronic service.

IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION that:

1. The determinations set forth above are made a part of the record in this Cause and shall be binding on all parties of record during the proceedings in this Cause.
2. This Order shall be effective on and after the date of its approval.

ATTERHOLT, LANDIS AND ZIEGNER CONCUR; MAYS ABSENT:

APPROVED: NOV 18 2010

I hereby certify that the above is a true and correct copy of the Order as approved.


Brenda A. Howe
Secretary to the Commission